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Date: February 17, 2006

FACSIMILE COVER LETTER

Facsimile Number: 571-273-8300

To: Examiner J. Barton
Group Art Unit 2186, USPTO

From: Mr. Daniel J. Stanger
MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

Re: USSN 10/771,455
Attorney Docket No.: ASA-5055

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that the following listed documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

INFORMATION DISCLOSURE STATEMENT;
FORM PTO-1449;
1 (ONE) NON-U.S. REFERENCE IN ENGLISH LANGUAGE.


Daniel J. Stanger
Reg. No. 32,846

February 17, 2006

Date

Total Number of Pages (including cover sheet): 24

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ASA-5055

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of

FEB 17 2006

A. SHIMADA et al.

Serial No.: 10/771,455

Group Art Unit: 2186

Filed: February 5, 2004

Examiner: J. Barton

For: DISK ARRAY APPARATUS AND
CONTROL METHOD FOR DISK
ARRAY APPARATUSINFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.97 & 1.98Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

February 17, 2006

Sir:

1. This IDS should be considered:

(a) when filed within three months of the filing date of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;

(b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 is enclosed, or if not see section 5 below);

(c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is included in section 4 below (included when indicated by

U.S. Serial No. 10/771,455

ASA-5055

a marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of \$180.00 (a Credit Card Payment Form in the amount of \$180.00 to cover the petition fee, or if not see section 5 below).

2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.

3. Listing of the information submitted is on the attached Form(s) PTO-1449, which forms a part of this IDS. A copy of each listed document is enclosed for each foreign patent, for each publication or portion thereof that caused it to be listed, and for each pending unpublished U.S. application or portion thereof that caused it to be listed. No copy of a U.S. patent or U.S. patent application publication is needed unless required by the PTO. A copy of a document is also not needed when previously submitted or previously cited by the PTO in a prior application to which the present application claims a benefit under 35 U.S.C. § 120.

4. The undersigned hereby states:

☐ (a) that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application, as indicated on the copy of the communication submitted herewith, which communication was dated not more than three months prior to the filing of this IDS; or

☐ (b) that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of this IDS.

5. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417.

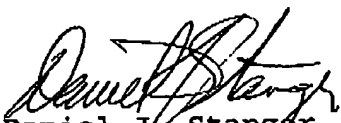
U.S. Serial No. 10/771,455

ASA-5055

6. No explanation of relevancy is being provided for the following document(s) because each is either in the English language, discussed in the present Specification, or its relevance is as stated in a communication from a foreign patent office in a counterpart foreign application.

7. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,



Daniel J. Stanger

Registration No. 32,846

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Date: February 17, 2006

Sheet 1 of 1

FORM PTO-1448 (REV. 7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. ASA-5055	SERIAL NO. 10/771,455		
LIST OF DOCUMENTS CITED BY APPLICANT (Use several sheets if necessary)				APPLICANT A. SHIMADA et al.			
				FILING DATE February 5, 2004		GROUP 2186	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If Appropriate)
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AL	0670543	1995	EUROPE			<input type="checkbox"/> <input type="checkbox"/>
	AM						<input type="checkbox"/> <input type="checkbox"/>
	AN						<input type="checkbox"/> <input type="checkbox"/>
	AO						<input type="checkbox"/> <input type="checkbox"/>
	AP						<input type="checkbox"/> <input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	AR						
	AS						
	AT						
EXAMINER				DATE CONSIDERED			
<small>* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>							